

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

GRAHAM-FIELD, INC., et al.
Plaintiffs,

CIVIL NO. 98-1306 (DRD)

v.

TUFFCARE, INC.
Defendants.

ORDER

Pending before the Court is defendant's *Motion to Reconsider* (Docket No. 274). Defendant moves the Court to lift sanctions previously imposed and to order the Clerk of Court to issue a check on said amount directly to plaintiff if a settlement agreement is reached. Defendant's request finds grounds in the minutes of proceedings held on February 9, 2005, when the Court voiced its intention to lift sanctions previously imposed on the defendant in order to facilitate a settlement agreement (Docket No. 273). In its motion to reconsider the defendant sustains that a settlement agreement with plaintiffs have been reached.

The Court reaffirms its intention to lift the sanctions imposed. However, the Court will grant the request conditioned upon that a **joint motion to voluntarily dismiss** pursuant to Rule 41(a)(1)(ii) be filed **within five (5) days** of the issuance of this Order and that settlement documents are filed **twenty (20) days thereafter**. **Further, said amount is to be paid to plaintiff conditioned upon a timely payment of the settlement agreement reached.**

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 16th day of February 2005.

S/DANIEL R. DOMINGUEZ
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE